

# United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Baker

V.

**JUDGMENT IN A CIVIL CASE**

Hornbeak

**CASE NUMBER:** 09-cv-01025-BTM-AJB

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**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that the Court adopts the Report and Recommendation. The Petition for Writ of Habeas Corpus shall be dismissed with prejudice. The motion for a stay captioned as "Motion Requesting a Protective Petition" is denied as moot. The Court denies a Certificate of Appealability.....

January 27, 2010

Date

W. Samuel Hamrick, Jr.

Clerk

S/ T. Lee

(By) Deputy Clerk

ENTERED ON January 27, 2010